

11-10-05 Jm AF 1764/H

IN THE UNITED STATES PATENT & TRADEMARK OFFICE  
NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALS AND INTERFERENCES

In re Application of:  
Carl E. Cupit

§ Attorney File: CUPIT001

Serial No.: 10/045,946

§ Group Art Unit: 1764

Filed: January 15, 2002

§ Examiner: Alexis A. Wachtel

FOR: APPARATUS AND METHOD FOR DETERMINING THE LEVEL IN A COKE DRUM

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision mailed August 10, 2005, of the Primary Examiner finally rejecting claims 1-10.

The item (s) checked below are appropriate:

1. ☐ An extension of time to respond to the final rejection was granted on \_\_\_\_ for \_\_\_\_ month.  
☐ Under 37 CFR 1.136 (a)  
☐ Under 37 CFR 1.136 (b)

2. ☐ Applicant hereby petitions for an extension of the shortened period for response set forth in the Office Action mailed \_\_\_\_ as provided in 37 CFR 1.136 (a).

- ☐ A fee in the amount of \$ \_\_\_\_  
☐ is enclosed  
☐ charge to Deposit Account

No. 10-0740. (Duplicate notice enclosed.)

3. Fee:

- ☒ Enclosed  
☐ Not required (Fee paid in prior appeal.)  
☐ \$500.00  
☒ \$250.00 (Small Entity)

Respectfully submitted,

Richard L. Moseley  
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Tele.: (713) 780-7047

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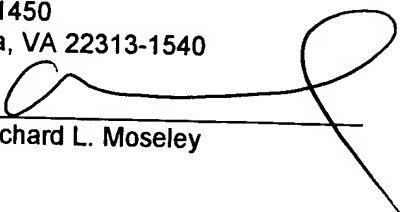
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service  
as ~~first~~ class mail in an envelope addressed to:

*overnight*

Commissioner for Patents  
P.O. box 1450  
Alexandria, VA 22313-1540

on 11/9/05

  
\_\_\_\_\_  
Richard L. Moseley